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found, that the finding becomes erroneous as matter of law: *Hyde vs Nelson*.

*Insurance—Measure of Damages under a Policy which gives the Insurer the Option to rebuild, and where the Local Law forbids Rebuilding.*—Plaintiff insured with defendants his wood warehouse, situate within the fire limits of Detroit. The policy contained a stipulation that in case of loss or damage by fire, it should be optional with the company to rebuild or repair the building. A fire occurred which destroyed the roof of the building, but did not otherwise essentially injure it. The Common Council of Detroit refused plaintiff permission to repair, and the building was therefore nearly or quite worthless. Suit being brought on the policy, defendants claimed that they were only liable for such sum as would be sufficient to repair the building. *Held*, that plaintiff was entitled to recover the whole amount insured: *Brady vs. N. W. Insurance Co.*

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### NOTICES OF NEW BOOKS.

ELEMENTS OF INTERNATIONAL LAW. By HENRY WHEATON, LL.D., Minister of the United States at the Court of Prussia; Corresponding Member of the Academy of Moral and Political Sciences in the Institute of France; Honorary Member of the Royal Academy of Science in Berlin, &c., &c. Second Annotated Edition. By WILLIAM BEACH LAWRENCE, Author of "Visitation and Search," &c., &c. Boston: Little, Brown & Co. London: Sampson Low, Son & Co. 1863.

We are here presented, by this excellent law publishing house, with a new edition of the most approved work upon International Law. It is certainly a just occasion of pride and gratification to all loyal Americans, to reflect that one of our own countrymen should have produced a work, upon this delicate and difficult subject, which should have met with such universal acceptance and approbation throughout the civilized world. For this work is now accepted as the standard text book upon International Law in almost every court in Europe. And the present edition is enriched by the careful and exhausting labors of such an editor as few authors can expect to find, to keep up their books to all the requirements of advancing commerce and civilization.

If there is any fault to be found with the present edition, it is that it was not allowed to make two volumes of moderate size, instead of one so

overcrowded and out of proportion, comprising nearly twelve hundred pages. But this is a fault which most purchasers will excuse, on account of the lessened price, and its present proportions will convince all of the necessity of making two volumes of the next edition.

The chapters in this work which will attract most attention at this particular juncture in American affairs, those upon the Rights of War as between Enemies, and the Rights of War as to Neutrals, have received the special attention of the editor, and contain extensive additions from approved and authoritative writers upon these subjects, ancient and modern, and much historical information of great value. Indeed, this work is now so crowded with information, indispensable to every general reader, and especially to every general scholar, that they cannot afford to be without it. We had intended to give some extracts from the work, and especially from the recent additions by the editor, in regard to the questions of such paramount interest at the present time, but it would occupy too much space, and we are sure our readers will avail themselves of the opportunity thus presented to examine for themselves those legal and constitutional questions so vital to the Republic, and which must, in the common course of events, so soon come to a final and authoritative determination by the American people, and in regard to whose judicious and peaceable solution the legal profession have, and in the nature of things must have, such an awful responsibility. We desire to avoid all appearance of alarm or agitation, but we must say, that any man who views the present crisis in American affairs with indifference, or without painful concern and apprehension, must either be very wise or very simple.

I. F. R.

REPORTS OF CASES ARGUED AND DETERMINED IN THE SUPREME JUDICIAL COURT OF MASSACHUSETTS. By CHARLES ALLEN. Vol. IV. Boston: Little, Brown & Co. 1863.

We have so recently spoken of the general character of Massachusetts Reports, and of those of Mr. Allen in particular, that we have nothing to add. The present volume contains a full average of interesting and important questions, and the general appearance of the volume for accuracy and neatness in the preparation of the matter, as well as in the publication, is creditable both to the reporter and the publishers.

The case of *Child v. The City of Boston*, in regard to the liability of the defendants for damages accruing to private persons, by the construc-